

**U.S. Department of the Interior  
Bureau of Land Management**

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**Finding of No Significant Impact and Decision Record  
DOI-BLM-UT-C010-2015-0040-EA  
September 8, 2015**

**Three Peaks 138 kV Power Line Project**

**Location:**

Northeast of Cedar City  
Iron County, Utah

U.S. Department of the Interior  
Bureau of Land Management  
Cedar City Field Office  
Phone: (435) 865-3000  
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**FINDING OF NO SIGNIFICANT IMPACT**  
**Environmental Assessment**  
**DOI-BLM-UT-C010-2015-0040-EA**  
**Three Peaks 138 kV Power Line Project**

Based on the analysis of potential environmental impacts contained in the attached environmental assessment, and considering the significance criteria in 40 CFR 1508.27, I have determined that the Three Peaks 138 kV Power Line Project will not have a significant effect on the human environment. An environmental impact statement is therefore not required.

  
Elizabeth R. Burghard  
Cedar City Field Manager

9/8/15  
Date

**DECISION RECORD**  
**Environmental Assessment**  
**DOI-BLM-UT-C010-2015-0040-EA**  
**Three Peaks 138 kV Power Line Project**

**Authorities**

The authority for this decision is contained in Title V, Section 501, of the Federal Land Policy and Management Act FLPMA (43 U.S.C. § 1761) and regulations at 43 CFR 2800.

**Compliance and Monitoring**

The Bureau of Land Management (BLM) will monitor the Right-of-Way (ROW) to ensure compliance with the terms, conditions, and stipulations of the grant. The monitoring will include inspecting construction, operation, and maintenance and protection and rehabilitation activities until the holder completes rehabilitation of the ROW.

**Terms / Conditions / Stipulations**

Appendix B of DOI-BLM-UT-C010-2015-0040-EA (attached) contains a Plan of Development which includes numerous design features to reduce impacts. These design features are considered part of the proposed action and will be adhered to as part of the ROW grant. The proponent will also be required to adhere to all grant terms and conditions.

**Plan Conformancy and Consistency**

Land use decisions for BLM-administered land in the project area are contained in the Cedar Beaver Garfield Antimony Resource Management Plan, as amended. The Project is specifically provided for in Decision 3.1, which states that applications for use

authorizations such as rights-of-way, leases, and permits be processed on a case-by-case basis.

### **Alternatives Considered**

The No Action Alternative was considered as a baseline to compare impacts. No other alternatives were considered on public lands, as any impacts from another route would likely be greater than those expected from the proposed action.

### **Public Involvement**

Public notification of the project was provided on March 18, 2015 via the Environmental Notification Bulletin Board (BLM 2015), a BLM internet web site used to notify the public of potential projects on public lands in Utah. No comments were received regarding this project. A 15 day public comment period was offered August 19, 2015 to September 2, 2015. No comments were received.

### **Decision**

It is my decision to approve a Title V ROW grant for the Three Peaks 138 kV Power Line Project as described in the proposed action of the attached EA.

### **Rationale for Decision**

Approval of the ROW grant will meet of the purpose and need of the EA and will not cause unnecessary and undue degradation of public land. The ROW will allow for generation of solar energy, a renewable energy resource, on private land.

### **Protest/Appeal**

This decision shall take effect immediately upon the date it is signed by the Authorized Officer and shall remain in effect while any appeal is pending unless the Interior Board of Land Appeals issues a stay (43 CFR 2801.10(b)). Any appeal of this decision must follow the procedures set forth in 43 CFR Part 4. Within 30 days of the decision, a notice of appeal must be filed in the office of the Authorized Officer at the Cedar City Field Office, 176 East D.L. Sargent Drive Cedar City, UT 84721. If a statement of reasons for the appeal is not included with the notice, it must be filed with the Interior Board of Land Appeals, Office of Hearings and Appeals, U.S. Department of the Interior, 801 North Quincy St., Suite 300, Arlington, VA 22203 within 30 days after the notice of appeal is filed with the Authorized Officer.

If you wish to file a petition for stay pursuant to 43 CFR Part 4.21(b), the petition for stay should accompany your notice of appeal and shall show sufficient justification based on the following standards:

1. The relative harm to the parties if the stay is granted or denied;
2. The likelihood of the appellant's success on the merits;
3. The likelihood of irreparable harm to the appellant or resources if the stay is not granted; and
4. Whether the public interest favors granting the stay.

If a petition for stay is submitted with the notice of appeal, a copy of the notice of appeal and petition for stay must be served on each party named in the decision from which the appeal is taken, and with the IBLA at the same time it is filed with the Authorized Officer.

A copy of the notice of appeal, any statement of reasons and all pertinent documents must be served on each adversely effected party named in the decision from which the appeal is taken and on the Office of the Regional Solicitor, U.S. Department of the Interior, 6201 Federal Building, 125 South State Street, Salt Lake City, Utah 84138-1180, not later than 15 days after filing the document with the Authorized Officer and/or IBLA.

  
Elizabeth R. Burghard  
Cedar City Field Manager

9/8/15  
Date

Attachments: DOI-BLM-UT-C010-2015-0040-EA